

EXHIBIT A

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION

IN RE: E. I. DU PONT DE
NEMOURS AND COMPANY C-8
PERSONAL INJURY LITIGATION,

Civil Action 2:13-md-2433
CHIEF JUDGE EDMUND A. SARGUS, JR.
Magistrate Judge Elizabeth Preston Deavers

This document relates to:

*Angela Swartz and Teddy Swartz v. E. I. du Pont de
Nemours and Company*, Case No. 2:18-cv-00136

and

*Travis and Julie Abbott v. E. I. du Pont de Nemours
and Company*, Case No. 2:17-cv-00998

PRETRIAL ORDR NO. 51-A

Consolidation of Cases for Trial

For the same reasons set forth in Pretrial Order No. 51, the Court hereby consolidates the *Swartz* and the *Abbott* trials. Therefore, the Court VACATES the Final Pretrial Conference scheduled for Monday, October 21, 2019 and SCHEDULES the *Swartz* trial for January 21, 2020 at 9:00 a.m. The issues that would have been addressed at the vacated conference will be addressed at the Final Pretrial Conferences already scheduled in the *Abbott* case, *i.e.*, January 6, 2020, the First Final Pretrial Conference and January 15, 2020, the Second Final Pretrial Conference. Both conferences will be held at 9:00 a.m.

The Court will endeavor to promptly issue decisions on all pending motions related to these trials, including the issue of whether issue preclusion applies. While Plaintiffs have raised

issue preclusion formally twice, this is the first time the issue will be fully briefed for decision by this Court.¹

IT IS SO ORDERED.

10-18-2019
DATE



EDMUND A. SARGUS, JR.
UNITED STATES DISTRICT JUDGE

¹ On January 27, 2017, a similar motion was filed on behalf of the Group 1 Plaintiffs in this MDL. (Pls.' Mot. for Summ. J. on Pls.' Negligence Claims Pursuant to the Doctrine of Issue Preclusion/Collateral Estoppel, ECF No. 5056.) DuPont did not file a response to Plaintiffs' motion because a global resolution was reached before DuPont's brief was due. (See Feb. 13, 2017 Order, ECF No. 5086) (vacating all then current scheduling orders). Plaintiffs' filed a second collateral estoppel motion on April 19, 2019 (ECF No. 5202) and Defendants' filed their response on May 19, 2019 (ECF No. 5208). Plaintiffs withdrew their motion on May 23, 2019 after Pretrial Order No. 51 was issued, "reserving the right to re-file in the future, should circumstances warrant." (Pls.' Mot to Withdraw Mot for Summ. J. on Issue Preclusion at 2, (ECF No. 5220).